

# Agenda

## Item #3



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

To: Commissioners

From: Jonathan Wayne, Executive Director

Date: March 16, 2010

Re: Staff's Activities Concerning Gubernatorial Candidates Seeking Maine Clean Election Act Funding

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This memo is to provide you with a summary of the Commission staff's activities in connection with the April 1, 2010 deadline for gubernatorial candidates seeking Maine Clean Election Act funding.

**Requirements for Gubernatorial Candidates to Qualify**

Presently, four candidates for Governor are making significant headway in meeting the qualifications for Maine Clean Election Act funding: Patrick McGowan, Peter Mills, Elizabeth Mitchell, and John Richardson.

To qualify, they must collect

- \$40,000 in seed money contributions from registered Maine voters (up to \$100 per contributor), and
- 3,250 qualifying contributions of \$5 or more from registered Maine voters payable to the Maine Clean Election Fund.

**Deadlines for Candidates and Commission Staff**

The deadline for candidates to submit their qualifying paperwork to the Commission is 5:00 p.m. on Thursday, April 1, 2010. The Commission staff has been encouraging the candidates to submit their qualifying papers in batches so that the Commission staff can avoid being overwhelmed at the April 1 deadline. Peter Mills has largely completed this process, but as of this date the Commission needs to receive considerable amount of paperwork from the other three candidates.

Under 21-A M.R.S.A. § 1125(5), the Commission staff must certify whether a gubernatorial candidate has met the requirements within five business days of receiving his or her final qualifying papers, although the staff may take longer if further investigation is necessary to verify compliance:

The commission or its executive director shall certify a candidate complying with the requirements of this section as a Maine Clean Election Act candidate as soon as possible after final submittal of qualifying contributions and other supporting documents required under subsection 4 but no later than 3 business days for legislative candidates and 5 business days for gubernatorial candidates. The commission and its executive director may take additional time if further investigation is necessary to verify compliance with this Act as long as the commission notifies the candidate regarding the anticipated schedule for conclusion of the investigation.

Candidates and other interested persons may appeal the staff's certification decision to the Commissioners, in accordance with 21-A M.R.S.A. § 1125(14).

### **Documentation of \$40,000 in Seed Money Contributions**

Seed money contributions are deposited by the campaigns in their bank accounts. By 5:00 p.m. on April 1, 2010, the candidates must submit to the Commission documentation proving that they have collected \$40,000 in seed money contributions from registered Maine voters. The Commission staff will review the documentation for each and every seed money contribution documented by the campaigns to verify that the candidates have met the \$40,000 requirement. Each contributor may give up to \$100, so we expect to review 600 – 800 seed money contributions for each candidate. The campaigns may receive these contributions by check, credit or debit card, money order, or cash.

To document these contributions, the candidates will submit:

- photocopies of personal checks or money orders signed by the contributors,
- acknowledgment cards completed by the contributor at the time they made the contribution (sample card attached)
- transaction reports from the candidate's credit card company (e.g., Pay Pal or ActBlue), and
- an excel spreadsheet prepared by the campaign which includes itemized information about each contribution intended to satisfy the \$40,000 requirement.

In summary, the Commission staff will verify that:

- every contributor is registered to vote in Maine,

- the essential information on the acknowledgment card is present and consistent with the check or money order,
- the check or money order meets the proper requirements (account name, amount, payee, signature),
- the signature on the acknowledgement card matches the signature on the check or money order,
- contributions by credit or debit card are supported by the transaction reports from the candidate's credit card company, and
- the candidate has not counted duplicate contributions by accident.

In addition, we telephone a sample of the contributors to verify that they gave the contributions reported by the candidate. We will perform other investigations as necessary.

### **3,250 Qualifying Contributions**

These are contributions of \$5 or more made by registered Maine voters payable to the Maine Clean Election Fund. It is the candidate's duty to verify that the contributors are registered to vote. If the contributor gave by check or by cash, the contributor must sign a written "Receipt and Acknowledgment" form (example attached) affirming that the candidate used their personal funds to make the contribution and received nothing of value in exchange for the contribution.

Contributors may give the \$5 qualifying contributions on a website designed by InforME for the Ethics Commission. If the contributor gave electronically by credit or debit card on the Commission's website, the contributor was required to make the acknowledgement using a checkbox on an online form. The website attempts to verify that the contributor is registered to vote. In response to feedback from candidates and contributors, InforME has been actively trying to improve the website to make it more user-friendly.

As with seed money, the Commission staff will check each and every qualifying contribution to verify it meets the requirements. The staff intends to call a sample of individuals who made qualifying contributions to verify the contributions reported by the candidates.

Thank you for your consideration of this summary of our procedures.

Maine Clean Election Act  
Seed Money Contribution Acknowledgement  
By a Maine Registered Voter

Your individual contribution of up to \$100 will help Peter Mills to qualify as a  
Clean Elections candidate for Governor.

Please print your information on this form and mail it in with a check.  
Or contribute by credit card, PayPal, or electronic check on our website at  
**MillsforMaine.com.**

Candidate's Name	S. Peter Mills Campaign Telephone: 431-4000
Make check payable to	"Mills for Maine"
Mail this form & payment to	P.O. Box 9, Skowhegan, Maine 04976
Contribution Amount (May not exceed \$100 per voter)	\$ 100. Check one: Check <input checked="" type="checkbox"/> Cash <input type="checkbox"/>
Contributor's Name (As it appears on voting list)	KATHERINE POPE
Contributor's Residential Address (As it appears on voting list)	19 STURDIVANT RD CUMBERLAND FSE, ME 04110
Contributor's Mailing Address (If different from residential address)	
Contributor's Telephone Number (Optional)	
Contributor's Email (Optional)	

For contributors giving more than \$50, the following additional information is required.

Contributor's Occupation	PHYSICIAN
Name of Contributor's Employer	SPECTRUM MEDICAL GROUP

I hereby affirm that:

- I have made this contribution with my personal funds;
- I have not and will not accept any reimbursement for this contribution; and
- I have received nothing of value in exchange for this contribution.

  
Contributor's Signature

  
Date of Contribution



# MAINE CLEAN ELECTION ACT

## QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES  
135 State House Station  
Augusta, ME 04333  
207-287-4179  
www.maine.gov/ethics

CANDIDATE'S NAME: LIBBY MITCHELL

OFFICE: ☒ GOVERNOR ☐ HOUSE ☐ SENATE DISTRICT # 1  
(Please check box above)

ALL CONTRIBUTORS MUST BE FROM THE TOWN OR CITY OF: WINTHROP

### IMPORTANT NOTICE TO CONTRIBUTORS:

- Your signature and qualifying contribution of \$5 or more will help the candidate named above to be eligible for public funding from the State to pay for the candidate's campaign.
- By signing below, you affirm that you have used your personal funds to make this contribution and that you have received nothing of value in exchange for your signature and contribution.

	Date	Check/M.O.#	Contributor's Name (Please Print)	Residential Address (No PO Box)	Contributor's Signature
1	1/31/10	2934	Patricia Putman	76 S. Upper Narrows Winthrop	<i>Patricia Putman</i>
2	1/31/10	2934	Jerome Casey	26 S. Upper Narrows Ln	<i>Jerome Casey</i>
3	1/31/10		GERALD G. DAWBIN	337 State Route 133 Winthrop	<i>Dawbin</i>
4	1/31/10		Scott Lowery	632 Memorial Dr Winthrop	<i>Scott Lowery</i>
5					
6					
7					
8					

**Falsifying any information on this form is punishable by law.**

**Please make checks and money orders payable to Maine Clean Election Fund. Money orders must be signed by the contributors.**

**Municipal Registrars:** Please circle the number of each contributor who is registered to vote in the district of the candidate. Please complete the statement below by inserting the total number of contributors on this page who are registered in the district. Please also cross out any blank lines or contributors who are not registered in the candidate's district.

**Circulators:** You must complete and sign the statement below for the contributions collected on this form to be accepted by the Commission. **This section does not apply to candidates.**

I, (Print name) MARY ELIZABETH RANDALL, affirm that: (1) I collected the qualifying contributions, (2) the contributor signed this form in my presence, (3) to the best of my knowledge and belief, the signature is the signature of the person whose name it purports to be, (4) the contribution came from the personal funds of the contributor, (5) I did not give anything of value to the contributor in exchange for their contribution and signature, and (6) I did not represent the purpose of collecting the contributions and signatures to be for any purpose other than obtaining public funds to finance the candidate's campaign.

Date: 1-31-10

Signature of Circulator: *Mary Elizabeth Randall*

Residential Address: 53 Annabesset St

Signature of Circulator: *Mary Elizabeth Randall*

Mailing Address: Winthrop Maine 04364

Phone #: 207.441.1323

I have verified that 4 contributors circled above are registered to vote in the electoral division of the candidate.

Date: 2-4-2010

Signature of Registrar: *James Williams*

*Deputy Registrar of Voters*